

Functional Series 100: Organization and Executive Management
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ADS 302

ADS 305

5 CFR 2635

22 CFR 208

22 CFR 211

22 CFR 226

FAA of 1961 as amended

Geographic Code 935

P. L. No. 102-486

Revised Delegation of Authority for InterAgency Agreements

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Senior Deputy Assistant Administrators

5 USC 43

31 USC

Functional Series 100: Organization and Executive Management
ADS Chapter 103: Delegations of Authority

103.1 Authority

Section 621(a) of the Foreign Assistance Act of 1961, as amended ("FAA").

103.2 Objective

To delegate certain authorities and to provide general provisions governing the delegation of authorities or assignment of duties and responsibilities in the ADS and other agency rules, regulations, and procedures.

103.3 Responsibility

The Office of the General Counsel (GC) is responsible for maintaining this chapter.

103.4 Definitions (**See GLOSSARY**)

Results Review and Resource Request (R4)

103.5 POLICY

The statements contained within the .5 section of this ADS chapter are the official Agency policies and corresponding essential procedures.

* The delegations of authority in this chapter deal primarily with delegations from the Administrator and Assistant Administrators (AA) on program planning and implementation and the obligation of funds. Other sources of delegations are ADS Chapter 101 which contains the general responsibilities of bureaus and offices; other sections of the ADS; delegations within field posts and USAID/W offices; position descriptions; and the FAR, AIDAR, and other agency regulations codified in the Code of Federal regulations (CFR).

103.5.1 GENERAL PROVISIONS

The following general provisions apply to all delegations or assignment of duties or responsibilities in the ADS and other agency directives, regulations, and procedures, unless specifically provided otherwise:

* a) Re-delegation. Subject to 103.5.1a, authorities may be re-delegated and re-delegated successively. (See 103.5.1a) **Except**

for presidentially appointed Senate-confirmed (“PAS”) positions, the authority to re-delegate includes the authority to designate acting officers and to establish orders of succession of acting officials. (For PAS positions see 103.5.1b.) Officials serving in an acting capacity are authorized to exercise all of the functions and duties of the position. The authority to re-delegate also includes the authority to give an “alter ego” delegation. An official exercising the authorities of a position under an “alter ego” delegation while authorized to exercise all of the functions and duties of the position is not the “acting” officeholder of the position. For example, a Deputy AA taking action under an “alter ego” delegation from the AA signs as Deputy AA, not as Acting AA.

- b) References. Any reference to a statute, Executive Order, regulation, determination, delegation of authority, or any other issuance shall be deemed to be a reference to such an issuance as amended from time to time or its successor.
- c) Concurrent Authority. The delegating official retains concurrent authority to exercise any of the delegated authorities, duties, or responsibilities.
- d) Acting Capacity. Authorities may be exercised by persons serving for the designated officer in an acting capacity.
- e) Exercise in accordance with Agency directives. Authorities shall be exercised in accordance with other Agency directives and regulations.
- f) Re-delegations under revoked delegations. Re-delegations under revoked delegations are in effect according to their terms, until modified, revoked, or superseded.
- g) Ratification. Actions taken by officials prior to the effective date of a delegation are ratified if in accordance with the terms and conditions of the delegation.
- h) Reorganization. Delegations continue in effect to the successor position or office performing the functions of its predecessor until modified, revoked or superseded. For example, the new Bureau for Management would continue to operate under the delegations to its predecessor, the Bureau for Finance and Administration.

103.5.1a **DELEGATION TO U.S. CITIZEN PERSONAL SERVICES
CONTRACTORS (USPSCs) AND NON-U.S. CITIZEN EMPLOYEES**

1) Notwithstanding any other provision of USAID directives, regulations, or delegations, U.S. citizen personal services contractors (USPSCs) and non-U.S. citizen employees (host country and third country Personal Service Contractors (PSCs) and direct-hire employees) may be delegated or assigned any authority, duty or responsibility, delegable to U.S. citizen direct-hire employees (USDH employees) except that:

a. They may not supervise USDH employees of USAID or other U.S. Government agencies. They may supervise USPSCs and non-U.S. citizen employees.

b. They may not be designated a contracting officer or delegated authority to sign obligating or sub-obligating documents.

c. They may represent the Agency, except that communications that reflect a final policy, planning or budget decision of the agency must be cleared by a USDH employee.

d. They may participate in personnel selection matters but may not be delegated authority to make a final decision on personnel selection.

2) Exceptions. Exceptions to the limitations in paragraph 1) must be approved by the Assistant Administrator for the Bureau for Management (AA/M). The AA/M has delegated to the Director, M/OP the authority to issue limited contracting warrants to USPSC Executive Officers meeting the conditions in the memorandum entitled "Issuance of Warrants to Personal Services Contractors (PSC's) Serving as Executive Officers," dated August 23, 1996. The authority of Executive Officers to sign leases in ADS 103.5.20 is an exception, i.e., under ADS 103.5.20 a USPSC serving as an Executive Officer can sign leases. (See 103.5.20)

***103.5.1b ACTING OFFICIALS FOR PRESIDENTIALLY APPOINTED SENATE-
CONFIRMED (PAS) POSITIONS**

* 1) **The USAID PAS positions are the Administrator, Deputy Administrator, Assistant Administrators (AAs) and the Inspector General (IG).**

* 2) **The Federal Vacancies Reform Act of 1998, 5 USC Sec. 3345-3349, prohibits the use of general delegations of authority to fill PAS vacancies on an acting basis. Section 621(a) of the FAA was just such a general delegation authority and was the agency's principal**

method for designating an “acting” for a PAS position. Since the authority of section 621(a) is no longer available for that purpose, the agency relies on the “first assistant” authority of the Vacancies Reform Act to fill PAS positions on an acting basis.

- * 3) The “first assistant” of the Administrator is the Deputy Administrator. Except as the Administrator may provide otherwise, the “first assistant” for an AA is the senior deputy AA listed in mandatory reference – entitled “Senior Deputy Assistant Administrators”. The Deputy Inspector General is the first assistant for the Inspector General. (See Mandatory Reference Senior Deputy Assistant Administrators)
- * 4) The Vacancies Reform Act also permits the use of other explicit statutory provisions and section 624(b) of the FAA qualifies as such an authority. Section 624(b) authorizes the President to establish orders of succession among the other section 624 PAS officers, which are the Administrator, Deputy Administrator and Assistant Administrators. However, pursuant to the advice of the Office of Legal Counsel of the Department of Justice (OLC), orders of succession for these positions must be approved by the President. As of October 1, 1999, there are no orders of succession for any USAID PAS positions.
- * 5) An official other than the “first assistant” can be authorized to exercise all of a PAS' authorities under an “alter ego” delegation. However, the official is not the “acting” PAS, but acts in his or her own capacity. For example, a Deputy AA taking action under an “alter ego” delegation signs as Deputy AA, not “acting” AA.

103.5.2 INTERNATIONAL DEVELOPMENT COOPERATION AGENCY (IDCA)

Under the provisions of the Foreign Affairs Reform and Restructuring Act of 1998, as contained in Public Law 105-277, IDCA was abolished and USAID was established as an Executive agency, effective April 1, 1999.

103.5.3 ORDER OF SUCCESSION- ADMINISTRATOR AND DEPUTY ADMINISTRATOR

* [RESERVED]

103.5.4 DEPUTY ADMINISTRATOR

The Deputy Administrator is delegated by the Administrator the authority to serve as full Deputy and alter ego to the Administrator; to be responsible under the Administrator's general direction for all aspects of

the Agency's activities; and to represent and exercise the authority of the Administrator with respect to all functions now or hereafter conferred upon or held by the Administrator.

103.5.5 COUNSELOR

The Counselor is delegated by the Administrator the authority to act as the Administrator's alter ego; to be responsible concurrently with the Administrator and the Deputy Administrator, for any aspect of the Agency's activities, subject to the Administrator's direction; and to represent and to exercise the authority of the Administrator with respect to all functions now or hereafter conferred upon or held by the Administrator.

103.5.6 DEPUTIES OF ASSISTANT ADMINISTRATORS AND DEPUTIES OF HEADS OF INDEPENDENT OFFICES

The deputies of Assistant Administrators and the deputies of heads of independent offices are delegated by the Administrator the authority to act as the alter ego of their principals.

103.5.7 EXECUTIVE SECRETARY (ES)

The Executive Secretary is delegated authority by the Administrator to:

- a) Classify, downgrade, and declassify Secret and Confidential information material; and
- b) Administer oaths of office.

***103.5.7a OFFICE OF SECURITY**

*** In addition to the those authorities in ADS 101.5.1a.(1) and 103.5.8a, the Director of the Office of Security is delegated by the Administrator the authority to:**

*** 1) Classify, downgrade, and declassify Secret and Confidential information material; and**

*** 2) Administer oaths in support of lawful security investigations and to delegate this authority, at his discretion, to duly appointed Office of Security Agents.**

103.5.8 ASSISTANT ADMINISTRATORS, MISSION DIRECTORS, AND OTHER PRINCIPAL OFFICERS

The following sub-policies are delegations to more than one Assistant

Administrator, Mission Director, or other principal officer of USAID field posts:

103.5.8a STRATEGIC PLANNING

AA/M is delegated by the Administrator the authority to delegate to the Assistant Administrators strategic planning and implementation authorities.

- 1) As provided in ADS 201 (**See ADS 201**), Assistant Administrators are delegated by AA/M for their respective areas of responsibility the authority to:
 - a. Develop and approve operating unit strategic plans and amendments thereto and realign, as appropriate, on-going activities under strategic, special or support objectives;
 - b. Approve exceptions to the strategic planning procedures; and
 - c. Develop and approve management contracts and amendments thereto.
- 2) Limitations on Re-delegation. The authority to approve the following may not be re-delegated below the level of the Deputy Assistant Administrator:
 - a. Strategic plans and substantive amendments thereto;
 - b. Exceptions to the strategic planning procedures; and
 - c. The substantive terms and conditions of management contracts and amendments thereto.

103.5.8b IMPLEMENTATION OF STRATEGIC, SPECIAL, OR SUPPORT OBJECTIVES

- 1) General Authority. Assistant Administrators are delegated by AA/M, for their respective areas of responsibility, the authority to implement approved strategic, special, or support objectives.
- 2) The general authority in paragraph 1) includes, but is not limited to, authority to:
 - a. Negotiate, execute, amend, and implement strategic, support and special objective grants, loans, memoranda of

understanding, and other implementing and ancillary agreements and documents with public international organizations and foreign governments; and issue or approve other implementation documents in connection with the above agreement;

b. Amend existing project, program, and other agreements and take other actions necessary to make the transition to the new ADS Managing for Results system;

c. Review and approve documents and other evidence submitted in satisfaction of conditions precedent;

d. Approve host country contracts and amendments, including waivers of competition and advertising requirements. This authority is subject to AA/M approval of certain host country contracts and amendments (**See E305.5.1f**) and the limitations on re-delegation to the field as specified within chapter 305, Host Country Contracts.

e. Receive and determine the adequacy of assurances of host country contributions under section 110 of the FAA (See Section 110 FAA) and to waive such contributions on a case-by-case basis if the country qualifies as relatively least developed under section 124(d) of the FAA (See 124(d) FAA);

f. Receive and take into consideration certifications under section 611(e) of the FAA (See 611(e)FAA), provided that such authority may not be re-delegated to the field; and

g. Sign section 632(a) interagency agreements (non-obligating transfers/allocations of funds).

3) Exclusions. Not included in the general authority in paragraph 1) above are the following authorities:

a. Waiving source, origin, and nationality requirements for goods and services (**See 103.5.8c**);

b. Signing direct USAID contracts (**See AIDAR**);

c. Signing grants and cooperative agreements other than those to foreign governments or to public international organizations (**See 103.5.8k**); and

d. Signing FAA section 632(b) and other interagency agreements (**See 103.5.8j**).

103.5.8c SOURCE, ORIGIN, AND NATIONALITY FOR PROCUREMENT

- 1) Goods and Services. The Assistant Administrators are delegated by the Administrator for their respective areas of responsibility the authority to waive source, origin and nationality requirements for the procurement of goods and services, other than transportation services, in accordance with applicable criteria.
- 2) Transportation Services. The following officials are delegated by the Administrator the authority to waive transportation source requirements for ocean transportation services in accordance with applicable criteria:
 - a. AA/M; and
 - b. AA/ANE with respect to the Egypt Mission only and provided that a determination of non-availability has been made by M/OP/TRANS.
- 3) Limitation on Re-delegation by Principal Officers of USAID Field Posts.
 - a. The authorities in para. 1) may be re-delegated to Mission Directors and other principal officers of USAID field posts but, except for the Egypt Mission, may not be further delegated.
 - b. AA/ANE may authorize the Mission Director in Egypt to re-delegate the authorities in paragraphs 1) and 2) above without regard to the limitation on re-delegation in paragraph 3)a. above.

103.5.8d GENERAL DELEGATION OF AUTHORITY TO COORDINATE WITH OTHER U.S. GOVERNMENT AGENCIES ON ECONOMIC COOPERATION ACTIVITIES

General Authority. Assistant Administrators are delegated by the Administrator for their respective areas of responsibility the authority for coordination with other U.S. Government agencies of economic cooperation activities in developing countries, including the following:

- 1) Approving or requesting the activities of the U.S. Forest Service under section 602 of the International Forestry Cooperation Act of 1990
- 2) Consulting with the Department of Energy under sections 1211, 1332, and 1608 of the Energy Policy Act (See Mandatory Reference, P. L. No. 103-486) concerning global technology

transfer programs; and

- 3) Taking any other action in conjunction with or coordination with other Federal agencies that is necessary to effectively carry out programs of economic cooperation in developing countries.

103.5.8e ACCEPTANCE AND USE OF GIFTS TO THE AGENCY

Assistant Administrators are delegated by the Administrator for their respective areas of responsibility the authority to accept and use gifts to the Agency. [For acceptance of gifts by individuals see the Standard of Conduct regulations at 5 CFR 2635] (See Mandatory Reference, 5 CFR 2635)

103.5.8f REIMBURSABLE PROGRAMS UNDER SECTION 607 OF THE FAA

The following authorities are delegated by the Administrator:

- 1) Section 607 Programs of Other Agencies. The Assistant Administrator for Bureau for Policy and Program Coordination (AA/PPC) is delegated the authority to make "section 607 determinations," i.e., that the furnishing of goods and services on a reimbursable basis is consistent with and in furtherance of the purposes of part I of the FAA and within the limitations of the FAA, for the section 607 programs of other agencies (See Mandatory Reference, Section 607 FAA).
- 2) USAID Section 607 Programs. Assistant Administrators, within their areas of responsibility, are delegated the authority to make section 607 determinations and to authorize and administer USAID 607 programs. AA/PPC is delegated authority to make section 607 determinations for inter-regional or inter-bureau USAID section 607 programs.
- 3) Excess Property. AA/M, Mission Directors, and other Principal Officers of USAID field posts are delegated the authority to make section 607 determinations for excess property.

103.5.8g FOOD AID AUTHORITIES

The following authorities are delegated by the Administrator:

- 1) Assistant Administrator, Bureau for Humanitarian Response (AA/BHR) is delegated all food-aid functions and authorities, including the authority to amend the delegation in paragraph 4) below, except as provided in paragraphs 2) and 3) below.

2) Regional Assistant Administrators, with clearance by AA/BHR, are delegated the authority for the following actions with respect to Title III, of the Agriculture Trade Development and Assistance Act of 1954, as amended (See Mandatory Reference, P.L. 480):

- a. Authorization of the donation of agricultural commodities;
- b. Negotiation, execution and implementation of donation agreements in accordance with the terms of the authorization;
- c. Amendment of any authorization and of any donation agreement; and
- d. Findings, determinations and actions required under Title IV of P.L. 480 that relate to donations and agreements for specific countries and the terms and conditions thereof.

3) AA/M is delegated the functions and authorities in section 407(d) of P.L. 480, with respect to the purchase of ocean transportation services and authority to sign, on behalf of USAID, U.S. Government contracts under section 407(d) and grants and cooperative agreements under Title V of P.L. 480. (See Mandatory Reference, P.L. 480)

4) P.L. 480 Claims. Mission Directors, other principal officers of USAID field posts, and in countries where USAID is not represented, principal diplomatic officers are delegated the following authorities with respect to P.L. 480 claims against private voluntary agencies arising under USAID Regulation 11 (**See Mandatory Reference, AID Reg 11 or 22 CFR 211**):

- a. To administratively collect such claims;
- b. To suspend or terminate claims not exceeding \$10,000; and
- c. To compromise claims not exceeding \$20,000 where the amount to be relinquished does not exceed \$10,000.

5) Re-delegation.

- a. AA/BHR may re-delegate the authorities in paragraph

1) above as follows:

1. The functions and authorities in Title V of P.L. 480 may be re-delegated to the Director of the Office of Private and Voluntary Cooperation (does not include authority to sign grants and cooperative agreements, see para. 3); and

2. All other food-aid functions and authorities may be re-delegated to the Director of the Office of Food for Peace who may re-delegate further such authorities and functions as the Director deems appropriate.

b. Regional Assistant Administrators may re-delegate:

1. The authority to negotiate, execute, and implement agreements, including amendments, to the principal USAID officer in the country where the donation is made; and

2. The authority to execute agreements, and amendments, to the principal United States diplomatic officer in the country where the donation is made.

The authority to implement agreements may be re-delegated in such manner as the principal USAID officer deems appropriate, but other authorities may not be re-delegated further.

6) Monitoring. Except for donations through the World Food Program and other agencies of the United Nations, no food-aid activity may be conducted in a country without the clearance of an officer of the appropriate Regional Bureau and the principal USAID officer in the country who then will be responsible for monitoring all food-aid activities in the country, unless other arrangements for monitoring are approved by the AA/BHR and the Regional Assistant Administrator.

103.5.8h HOUSING GUARANTY, OTHER CREDIT PROGRAMS, AND AGRICULTURAL AND PRODUCTIVE CREDIT AND SELF HELP COMMUNITY DEVELOPMENT PROGRAMS

The following authorities are delegated by the Administrator:

1) AA/G is delegated the authority to:

- a. Authorize inter-regional credit programs; and
- b. Implement the Housing Guaranty (HG) and Micro and Small Enterprise Development (MSED) Programs, including the authority to negotiate, execute, and implement agreements for these programs.

The authorities herein delegated to AA/G shall be exercised in consultation with, and subject to the policy guidance of, the appropriate Regional Assistant Administrators and field Missions. AA/G may re-delegate her or his authorities to the Regional Bureaus.

2) Regional Assistant Administrators are delegated, for their respective geographic areas of responsibility, the authority to:

- a. Authorize HG and MSED Programs with the exception of inter-regional programs, for which authority has been delegated to the AA/G in paragraph 1) above;
- b. Authorize all loan, guarantee, and other credit programs with the exception of inter-regional programs, for which authority has been delegated to the AA/G in paragraph 1) above; and
- c. Implement loan, guaranty, and other credit programs, with the exceptions of the HG and MSED programs, for which authority has been delegated to the AA/G in paragraph 1) above, including the authority to negotiate, execute and implement agreements for these programs.

3) AA/LAC, in addition to the authorities conferred upon him as a Regional Assistant Administrator, is delegated full authority for the Agricultural and Productive Credit and Self-Help Community Development Programs in existence as of May 19, 1982, with the exception of the authority to issue guaranties for such Programs.

103.5.8i REGISTRATION OF INDIGENOUS PRIVATE AND VOLUNTARY ORGANIZATIONS

- 1) The authority to register indigenous, foreign private voluntary organizations on a provisional basis is delegated by the Assistant Administrator/BHR to the principal USAID officer in each developing country.
- 2) After provisional registration, the principal USAID officer shall

provide a detailed report to the Bureau for Humanitarian Response, Office of Private and Voluntary Cooperation (BHR/PVC) for review and permanent registration of the indigenous private voluntary organization by BHR/PVC.

3) The report will be in the form prescribed by BHR/PVC and will describe how the private voluntary organization satisfies the conditions for registration and will provide a justification for any variation from these standards required by local law, customs, or practices and any justification for any documentation accepted by the principal USAID officer in lieu of standard documentation.

103.5.8j SECTION 632(B) INTERAGENCY AGREEMENTS

1) Assistant Administrators are delegated by the AA/M authority to sign FAA section 632(b) interagency agreements which:

a. Provide for the transfer of inherently governmental functions; or

b. Utilize the resources of other Federal agencies, under the authority of section 621(a) of the FAA, to provide technical assistance. (See Mandatory Reference, FAA 632(b))

2) Agreements must be cleared by the program's appropriate Assistant General Counsel and must follow the rules and procedures set forth in the memorandum entitled "Revised Delegation of Authority for InterAgency Agreements under FAA Section 632(b) and Use Standards," dated October 31, 1996 (See Mandatory Reference, Revised Delegation of Authority for InterAgency Agreements).

3) The authority in paragraph 1) above may not be re-delegated below the Deputy Assistant Administrator level and does not include authority to sign PASA/RSSAs.

103.5.8k GRANTS AND COOPERATIVE AGREEMENTS

1) Mission Directors and other principal officers of USAID field posts are delegated by AA/M the authority to negotiate, execute, and amend grants and cooperative agreements other than those to foreign governments or to public international organizations in an amount not exceeding \$100,000 (or local currency equivalent) in the aggregate. (Note: for grants to foreign governments and public international organizations see 103.5.8b)(See **103.5.8b**).

2) Limitation on Re-delegation. The authority delegated in paragraph

1) above may not be re-delegated but may be exercised by authorized persons who are performing the functions of the Mission Director or other principal officer in an acting capacity.

3) Authority of Contracting Officers. This delegation does not derogate in any way from the authority of BS-93 Contracting Officers to negotiate, execute, amend, and administer grants and cooperative agreements.

103.5.8l CLAIMS

1) Mission Directors and other principal officers of USAID field posts are delegated by the Director, M/FM, the authority to settle (compromise, suspend, terminate, or waive) claims which do not exceed \$5,000, exclusive of late payment charges, interest penalties, and administrative cost charges.

2) Exclusions: The authority in paragraph 1) does not apply to P.L. 480 claims.

3) Mission Directors and other principal officers of USAID field posts are delegated by the General Counsel the authority to settle tort claims in an amount not to exceed \$25,000.

103.5.8m PERFORMANCE BASED ACTIONS

1) Assistant Administrators and Directors of independent offices are delegated by the Director of the Office Human Resources the authority to take and decide performance based actions, as specified in 5 USC 43 and related regulations, including reassignments, demotions, and removals for unsatisfactory performance, subject to consultation and coordination with Director of the Office Human Resources or designees. (See Mandatory Reference 5 USC 43)

2) Any re-delegation of the authority in paragraph 1) above is subject to approval by Director of the Office of Human Resources or designees.

103.5.8n WAIVER OF TRANSPORTATION SOURCE REQUIREMENTS

1) Officials in the field having authority to waive source requirements for goods and services are delegated by AA/M the authority to waive in accordance with applicable criteria (**See ADS 314.5.1b**) the flag registry requirements for ocean transportation services to permit financing of transportation on ocean vessels under flag registry of any country included in USAID Geographic Code 935 (Special Free World)(**See Mandatory Reference, USAID Geographic Code 935**); provided, however, that such

authority may be exercised only for shipment of goods for which the official has approved a commodity source.

2) The authority delegated in paragraph 1) above may not be further re-delegated.

103.5.8o DETAILS TO FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS UNDER SECTIONS 627 AND 628 OF THE FAA

The following authorities are delegated by the Administrator:

1) Other Agencies. The Assistant Administrator for Bureau for Policy and Program Coordination (AA/PPC) is delegated the authority to make "section 627/628 determinations," i.e., that the detail is in furtherance of the purposes of the FAA, for the detail of the employees of other agencies to foreign governments and international organizations under sections 627 and 628 of the FAA.

2) USAID. The Assistant Administrator for Management (AA/M) is delegated under its general personnel authorities in 103.5.9 the authority to make "section 627/628 determinations" for USAID employees.

103.5.9 PRINCIPAL DIPLOMATIC OFFICERS

a) Principal diplomatic officers of the United States in countries where there is no USAID Mission or Office are delegated by the Administrator the authorities delegated to Mission Directors of USAID Missions.

b) The exercise of the authorities in paragraph a) above is subject to the same limitations applicable to the exercise of such authorities by Mission Directors and such other limitations as the cognizant USAID Regional Assistant Administrator may specify.

c) The authorities in paragraph a) above may be re-delegated to the officers at post principally responsible for USAID activities.

103.5.10 BUREAU FOR MANAGEMENT (M)

The following sub-policies are the delegations for the Bureau for Management.

103.5.10a ASSISTANT ADMINISTRATOR FOR MANAGEMENT (AA/M)

- General Delegation of Authority

- 1) General Authority. AA/M is designated by the Administrator the Agency's Chief Operating Officer and delegated by the Administrator all authorities now available and that may become available to the Administrator relating to all aspects of human resources management; information resources management; acquisition and assistance; management planning; budget; and other administrative management functions, except as noted below or specifically delegated to another in another delegation of authority.
- 2) Authorities Reserved to the Administrator. The following authorities are reserved to the Administrator:
 - a. The authorities of sections 624 and 631(c) of the FAA regarding officers appointed by the President and confirmed by the Senate and Chairman of the DAC; and
 - b. The appointment, assignment, and removal of mission directors, deputy mission directors, and USAID representatives.
 - c. The "Head of the Agency" authorities, which the Federal Acquisition Regulation (**FAR, see Mandatory Reference to ADS 302**) states are not delegable.
- 3) Acquisition and Assistance. The authorities in **paragraph 1)** above include, but are not limited to, the following:
 - a. To act as "Head of the Agency" in accordance with the Federal Acquisition Regulation (**See FAR, Mandatory Reference to ADS 302**), except as limited in 103.5.10a paragraph 2 above
 - b. To negotiate, execute, amend, and administer:
 1. U.S. Government contracts;
 2. Inter-agency agreements obligating USAID funds, under section 632(b) of the FAA and any other authority, including Participating Agency Service Agreements (PASAs) and Resources Support Service Agreements (RSSAs); and
 3. Grants (other than those to foreign governments) and cooperative agreements.
 - c. To approve USAID-financed host country contracts over \$10 million, including amendments in that amount, and related actions;
 - d. To take extraordinary contractual actions pursuant to

Sections 3 and 4 of Executive Order 11223;

e. To administer the commodity and ocean transportation management functions; and

f. To determine the eligibility and responsibility under suspension/debarment regulations, the Drug Free Workplace Act, and similar statutes and regulations.

4) Budget. The authorities in paragraph 1) above include, but are not limited to, the preparation, execution, transaction management, and tracking of USAID's budget.

5) Information Resources Management. The authorities in paragraph 1) above include, but are not limited to, serving as the Designated Senior Official ("DSO") for Information Resources Management. **(See also ADS 101 for PPC's development information functions.)**

6) Other Administrative Management Functions. The authorities in **paragraph 1)** above include, but are not limited to, the following:

a. To administer all aspects of USAID's property management function, including real and personal, foreign and domestic, and surplus and excess;

b. To authorize expenditures under section 636(b) of the FAA;

c. To authorize and approve official travel, transportation, and storage; and

d. To accept and use gifts.

7) Regulations. Included in this general delegation is the authority to issue, amend, or waive regulations.

8) This section, 103.5.10a, shall govern in the event of conflict with other provisions of ADS.

103.5.10b DIRECTOR, OFFICE OF FINANCIAL MANAGEMENT (M/FM)

1) The Director is delegated by the Administrator all authorities now available and that may become available to the Administrator relating to all aspects of financial management, including but not limited to the following:

a. To serve as the Agency's Chief Financial Officer and to exercise all of the authorities under the Chief Financial Officers Act

of 1990 ("CFO Act"); and

b. To collect, compromise, suspend, or terminate or waive claims by or against the Agency, except for tort claims against the Agency.

2) Regulations. Included in paragraph 1) above is the authority to issue, amend, or waive regulations to exercise any authority vested in the Administrator in such regulations, and to revoke or amend any delegations from the Administrator to M officials.

3) The Director, M/FM, is delegated by AA/M authority to:

a. Negotiate, execute, amend, and administer inter-agency agreements in the area of financial management;

b. Authorize expenditures under section 636(b) of the FAA;

c. Approve exceptions under section 113 and other sections of the Foreign Service and Federal Travel Regulations; and

d. Make any other determination, waiver, exception, or other action authorized by law or regulation.

103.5.10c CHIEF, PAYROLL DIVISION (FM/P)

FM/P is delegated by Director, M/FM, authority to withhold taxes, file required returns, and pay taxes in accordance with agreements entered into between the Secretary of the Treasury and the States, the District of Columbia, U.S. cities and counties.

103.5.10d CHIEF, CENTRAL ACCOUNTING AND REPORTING DIVISION (FM/CAR)

FM/CAR is delegated by Director, M/FM, the following authorities:

1) Claims authority in paragraph 1)b. of 103.5.10b (**See 103.5.1b**);

2) Authority to appoint and revoke appointments of certifying officers;

3) Authority to designate overseas cashiers and to request the Department of Treasury designation of domestic cashiers and to request the revocation of such designations;

4) Authority to sign requests for relief concerning physical losses or deficiencies applying to cashiers of imprest funds. This includes authority to make findings, determinations, and recommendations relating to the relief of accountable officers, pursuant to title 31 of the U.S. Code (See Mandatory Reference 31 USC);

5) Authority to request the Department of Treasury to designate agents to distribute checks; and

6) Authority to sign Foreign Currency Transfer Authorizations.

103.5.10e DIRECTOR, OFFICE OF INFORMATION RESOURCES MANAGEMENT (M/IRM)

The Director, M/IRM, is designated by AA/M the Agency's Senior IRM Manager and delegated by AA/M the following responsibilities including those delegated to AA/M as USAID's Designated Senior Official for Information Resources Management:

1) Coordination with other Agency components to develop and update annually the Agency-wide five-year IRM Strategic Plan;

2) Coordination with other Agency components to develop an annual Agency-wide IRM budget;

3) Development and promulgation of IRM policies, procedures, and guidelines for the economical and effective management of information resources, TEMPEST, COMSEC, and Secure Telephone Units;

4) Oversight responsibility of all IRM activities in the Agency (to include conducting program reviews of information resources management activities);

5) Acquisition, review, and approval authority for all acquisitions containing Federal information processing resources;

6) Management of the Agency's compliance with Sections 3506(c) (1), (2), (6), and (7) of the Paperwork Reduction Act, as amended, OMB Circular A-130, and Sections 5 and 6 of the Computer Security Act, TEMPEST Countermeasures for Facilities, COMSEC Guidance for Automated Data Processing (ADP) Systems, and Operational Security Doctrine for Secure Telephone Units; and

- 7) Development, coordination, implementation and maintenance, administration, and integration of Agency corporate automated information systems (both numerical and textual).

103.5.10f PROCUREMENT EXECUTIVE AND ASSISTANCE EXECUTIVE

- 1) The Procurement Executive and Assistance Executive are designations of a specific individual by AA/M. Marcus Stevenson is both the present Procurement Executive and Assistance Executive.
- 2) The Procurement Executive has been delegated by AA/M responsibility for the management direction of USAID's assistance and acquisition ("A&A") system, which includes the following duties: certifying to the Administrator, through AA/M, that the A&A system meets approved criteria; making recommendations on the A&A system; coordinating Agency A&A training programs; leading outreach activities; and such other duties as may be assigned by AA/M.
- 3) The Assistance Executive has been delegated by AA/M responsibility for deciding appeals under 22 CFR 226.90 and other assistance instruments.

103.5.10g DIRECTOR, OFFICE OF PROCUREMENT (M/OP)

- 1) The Director, M/OP, is delegated by AA/M the procurement and assistance authorities delegated to AA/M in 103.5.10a, including commodity, excess property, and host country contracting authorities and the authorities previously delegated to the Deputy AA/M in the ADS and USAID Regulations. Assistance authorities include any authorities specified elsewhere in the ADS and USAID Regulations as belonging to the Assistance Executive, except the authority to decide appeals noted in 103.5.10f paragraph 3) above.
- 2) Authority to negotiate, execute, amend, and modify contracts, grants, and cooperative agreements is delegated to individuals through warrants signed by the Director, Office of Procurement (M/OP) and may not be further delegated.
- 3) Contracting authority delegated to individuals through warrants issued pursuant to paragraph 2 includes the authority to enter into section 632(b) interagency agreements, including PASAs and RSSAs (**see ADS 306**).

103.5.10h CHIEF, OFFICE OF PROCUREMENT, EVALUATION DIVISION
(M/OP/E)

The Chief, M/OP/E is delegated by the Director, M/OP, authority to issue ad hoc delegations of assistance or acquisition authority, including authority for micro-purchases as defined in FAR 2.101 (**see FAR, Mandatory Reference to ADS 302**).

103.5.10i OFFICE OF ADMINISTRATIVE SERVICES (M/AS)

[Reserved]

103.5.10j DEPUTY DIRECTOR, M/AS

[Reserved]

103.5.10k CHIEF, TRAVEL AND TRANSPORTATION BRANCH (M/AS/TT)

[Reserved]

103.5.10l CHIEF, PROPERTY MANAGEMENT DIVISION (M/AS/PMD)

[Reserved]

103.5.10m CHIEF, INFORMATION RECORDS DIVISION (M/AS/IRD)

[Reserved]

103.5.10n DIRECTOR, OFFICE OF BUDGET (M/B)

Director, Office of Budget (M/B) is delegated by AA/M the budget authority in 103.5.10a including the authority to execute inter-agency agreements under section 632(a) and (b) of the FAA. (See Mandatory Reference, FAA, Section 632(a) and (b); and ADS 103.5.10a).

103.5.11 BUREAU FOR AFRICA (AFR)

The following policies are the delegations for the Bureau for Africa.

103.5.11a MISSION DIRECTORS AND USAID PRINCIPAL OFFICERS

The Mission Directors and USAID Principal Officers in the AFR region are delegated by AA/AFR the following authorities:

- 1) Strategic planning authority pursuant to section 103.5.8a, except as provided for in Limits of Re-delegation (**See 103.5.8a, para. 2**). The authority to implement strategic, special, or support objectives stated in section 103.5.8b (**See 103.5.8b**), except that:

a. The authority to take into consideration FAA section 611(e) certifications and to sign FAA 632(a) agreements is not delegated; and

b. Prior to approving macroeconomic or sector assistance involving resource transfers pursuant to Policy Paper "Program Assistance" (formerly referred to as "non-project assistance"), USAID principal officers must receive the concurrence of AA/AFR based on review of information concerning such proposed assistance included in the Results Review and Resource Request (R4) submission. Each R4 submission which proposes this mode of assistance shall include a reform matrix and discussions of dollar use and local currency generation and use, as well as such additional information as may be specified in AFR/W guidance.

2) The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than transportation services) set forth in Good and Services (**See 103.5.8c, para. 1**)). This authority may not be further re-delegated;

3) The authority to coordinate with other U.S. government agencies on economic development matters set forth in section 103.5.8d (**See 103.5.8d**);

4) The authority to accept and use gifts as set forth in section 103.5.8e (**See 103.5.8e**);

5) The authority stated in section 103.5.8g, para. 2b to negotiate, execute, and implement food aid donation agreements in accordance with the terms of the authorization (**See 103.5.8g, para 2b**). The authority to implement such agreements may be re-delegated further, but the authorities to negotiate and execute agreements may not; and

6) The authority to implement loan, guaranty, and other credit programs (except for the HG and MSED programs) set forth in section 103.5.8h, para. 2)(**See 103.5.8h, para. 2**).

103.5.11b DIRECTORS OF THE OFFICE OF WEST AFRICAN AFFAIRS (AFR/WA), THE OFFICE OF SUSTAINABLE DEVELOPMENT (AFR/SD), THE DISASTER RESPONSE COORDINATION OFFICE (AFR/DRC), THE OFFICE OF EASTERN AFRICA AFFAIRS (AFR/EA), THE OFFICE OF SOUTHERN AFRICA AFFAIRS (AFR/SA) AND THE OFFICE OF DEVELOPMENT PLANNING (AFR/DP) (COLLECTIVELY, "AFR/W

OFFICE DIRECTORS").

AA/AFR has delegated AFR/W Office Directors the following the authorities, effective January 19, 1996:

- 1) The authority to implement strategic, special, or support objectives stated in section 103.5.8b (**See 103.5.8b**), including but not limited to, authority to:
 - a) Negotiate, execute, amend, and implement strategic, support, and special objective grants, loans, memoranda of understanding, and other implementing and ancillary agreements and documents with public international organizations and foreign governments; and issue or approve other implementation documents in connection with the above agreements.
 - b) Amend existing project, program, and other agreements and take other actions necessary to make the transition to the new ADS Managing for Results system.
 - c) Review and approve documents and other evidence submitted in satisfaction of conditions precedent.
 - d) Approve host country contracts and amendments, including waivers of competition and advertising requirements. This authority is subject to AA/M approval of host country contracts and amendments over \$10 million and the limitations on re-delegation to the field of ADS 302 and ADS 305 Supplementary Reference, "Country Contracting" (**See Mandatory Reference, ADS 302; and Supplementary Reference, ADS 305, "Country Contracting"**).
 - e) Receive and determine the adequacy of assurances of host country contributions under section 110 of the FAA and to waive such contributions on a case-by-case basis if the country qualifies as relatively least developed under section 124(d) of the FAA (See Mandatory Reference, FAA 124(d)).
- 2) The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than transportation services) set forth in Good and Services (**See 103.5.8c, para. 1**). This authority may not be further re-delegated;

- 3) Procurement under the Development Fund for Africa (DFA). The authority to implement the procurement authorities stated in Section 496 of the Foreign Assistance Act of 1961, as amended (See Mandatory Reference, FAA of 1961, Section 496, as amended). This authority shall be exercised in accordance with the Updated and Reissued Africa Bureau Instructions on Implementing DFA Procurement Authorities, dated February 1, 1993, as may be from time to time amended, including the provision in said instructions calling for U.S. procurement to the maximum extent practicable.
- 4) The authority to coordinate with other U.S. government agencies on economic development matters set forth in section 103.5.8d (**See 103.5.8d**);
- 5) The authority to accept and use gifts as set forth in section 103.5.8e (**See 103.5.8e**);
- 6) The authority in section 103.5.8f, para. 2 (**See 103.5.8f**) to authorize and administer reimbursable programs under section 607 of the FAA;
- 7) The authority to register regional, foreign private and voluntary organizations, i.e., on which conducts operations in more than one country within a USAID geographic region.
- 8) Exceptions.
 - a. The authority to sign section 632(a) inter-agency agreements (non-obligating transfers of funds) and section 632(b) inter-agency agreements (obligating transfers of funds) is not delegated by this Delegation of Authority.
 - b. Prior to approving macroeconomic or sector assistance involving resource transfers pursuant to ADS section 730 (formerly referred to as "non-project assistance"), USAID principal officers must receive the concurrence of AA/AFR based on review of information concerning such proposed assistance included in the R4 submission. Each R4 submission which proposes this mode of assistance shall include a reform matrix and discussions of dollar use and local currency generation and use, as well as such additional information as may be specified in AFR/W guidance.
- 9) Country, Regional and USAID/W Support. In carrying the

authorities delegated above, each AFR/W Office Director and his or her staff shall obtain:

- a. All required or otherwise appropriate clearances (legal, procurement, financial, technical) prior to approving actions; and
- b. Such additional country, regional, and/or USAID/W support as may be appropriate in planning and carrying out assistance activities.

103.5.12 BUREAU FOR ASIA AND NEAR EAST (ANE)

The following sub-policies are the delegations for the Bureau for Asia and Near East.

103.5.12a ANE MISSION DIRECTORS AND PRINCIPAL OFFICERS

The Mission Directors and USAID Principal Officers in countries or areas of the Asia and Near East (ANE) region now or hereafter under the responsibility of the Assistant Administrator for Asia and the Near East (AA/ANE) are delegated by the AA/ANE, each with respect to the country or countries for which he or she is responsible, the authorities contained in ADS sections 103.5.8a (Strategic Planning); 103.5.8b (Implementation); 103.5.8c (Source and Origin); 103.5.8d (Coordination); 103.5.8e (Acceptance of Gifts); 103.5.8g 2) (Food Aid); and 103.5.8h, para. 2 (Housing Guaranty and other Credit Programs) **(See 103.5.8a; 103.5.8b; 103.5.8c; 103.5.8d; 103.5.8e; 103.5.8g, para.2; and 103.5.8h, para. 2)** except that:

- 1) The authorities delegated pursuant to section 103.8.8a do not include the authority to approve:
 - a. Strategic plans and substantive amendments thereto;
 - b. Exceptions to the strategic planning procedures; and
 - c. The substantive terms and conditions of management contracts and amendments thereto.
- 2) The authorities delegated pursuant to section 103.5.8b do not include:
 - a. The authority to receive and take into consideration certifications under section 611(e) of the FAA (See Mandatory Reference, FAA 611(e)); or

- b. Sign section 632(a) interagency agreements [non-obligating transfers of funds].
- 3) The authorities delegated pursuant to section 103.5.8c may not be delegated further (**See 103.5.8c**).
- 4) In the case of the USAID/Mission to Egypt only, the authorities delegated pursuant to section 103.5.8c (**See 103.5.8c**):
 - a. Include the authority to waive transportation source requirements for ocean transportation services in accordance with applicable criteria, provided that a determination of non-availability has been made by M/OP/COM; and
 - b. May be re-delegated further.
- 5) The authorities delegated pursuant to section 103.5.8g, para. 2 are subject to clearance by AA/BHR, and do not include:
 - a. The authority to authorize or amend the authorization for the donation of agricultural commodities;
 - b. The authority to make findings, determinations, and actions required under Title IV of P.L. 480 that relate to donations and agreements for specific countries and the terms and conditions thereof.
- 6) The implementation authorities delegated pursuant to section 103.5.8g, para. 2 may be re-delegated in such a manner as the respective USAID Mission Director or Principal Officer deems appropriate (**See 103.5.8g, para. 2**), but other Food Aid authorities may not be delegated further.

103.5.12b USAID/EGYPT REGIONAL CONTRACTING OFFICER (RCO/E)

RCO/E is delegated authority by DAA/M authority to approve host country contracts awards in the amount of \$10 million or more, including contract amendments in that amount, and related actions.

103.5.13 BUREAU FOR EUROPE AND THE NEW INDEPENDENT STATES (ENI)

The following sub-policies are the delegations for the Bureau for Europe and the New Independent States.

103.5.13a ENI MISSION DIRECTORS, AIDREPS, AND PRINCIPAL OFFICERS

The Mission Directors, AIDREPS, and principal officers in countries or areas of the ENI region now or hereafter under the responsibility of the AA/ENI are delegated by the AA/ENI, each with respect to the country or countries for which he or she is responsible, the authorities contained in ADS sections 103.5.8a (Strategic Planning); 103.5.8b (Implementation); 103.5.8c (Source and Origin); 103.5.8d (Coordination); 103.5.8e (Acceptance of Gifts); 103.5.8g, para. 2b (Food Aid); and 103.5.8h, para. 2 (Housing Guaranty and other Credit Programs) **(See 103.5.8a; 103.5.8b; 103.5.8c; 103.5.8d; 103.5.8e; 103.5.8g, para. 2b; and 103.5.8h, para. 2)** except that:

- 1) The authorities delegated pursuant to section 103.5.8a do not include the authority to approve **(See 103.5.8a)**:
 - a. Strategic plans and substantive amendments thereto;
 - b. Exceptions to the strategic planning procedures; and
 - c. The substantive terms and conditions of management contracts and amendments thereto;
- 2) The authorities delegated pursuant to section 103.5.8b do not include **(See 103.5.8b)**:
 - a. The authority to receive and take into consideration certifications under section 611(e) of the FAA; or
 - b. Sign section FAA 632(a) interagency agreements non-obligating transfers/allocations of funds];
- 3) The authorities delegated pursuant to section 103.5.8c may not be delegated further **(See 103.5.8c)**;
- 4) The authorities delegated pursuant to section 103.5.8g, para. 2b are to negotiate, execute, and implement Title III donation agreements in accordance with the terms of the authorization **(See 103.5.8g, para. 2b)**. The authority to implement agreements may be re-delegated but the other authorities may not be re-delegated further;
- 5) The USAID Representative, USAID/Vilnius is delegated the authority of a USAID Principal Officer with respect to the countries of Lithuania, Latvia, and Estonia;

- 6) The Director, USAID/Almaty is delegated the authority of a USAID Principal Officer with respect to the countries of Kazakstan, Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan;
- 7) The USAID Representative, USAID/Yerevan is delegated the authority of a USAID Principal Officer with respect to the countries of Armenia, Azerbaijan, and Georgia;
- 8) The Director, USAID/Kiev is delegated the authority of a USAID Principal Officer with respect to the countries of the Belarus, Moldova, and Ukraine; and
- 9) The USAID Representative, USAID/Budapest is delegated the authority of a USAID Principal Officer with respect to the countries of Hungary and Slovenia.

103.5.14 BUREAU FOR LATIN AMERICA AND THE CARIBBEAN (LAC)

The following sub-policies are the delegations for the Bureau for Latin America and the Caribbean.

103.5.14a DIRECTOR, OFFICE OF STRATEGIC AND PORTFOLIO MANAGEMENT (LAC/SPM); DIRECTOR, OFFICE OF REGIONAL SUSTAINABLE DEVELOPMENT (LAC/RSD); AND DIRECTOR, OFFICE OF DEVELOPMENT, PLANNING AND BUDGET (LAC/DPB)

The above officials are delegated by AA/LAC the following authorities:

- 1) Strategic planning authority pursuant to section 103.5.8a, except as provided for in section 103.5.8a, para. 2 (**See 103.5.8a**). The authority to implement strategic, special or support objectives stated in section 103.5.8b (**See 103.5.8b**), except signing FAA section 632(a) agreements;
- 2) The authority to waive source, origin, and nationality requirements for the procurement of goods and services (other than of transportation services) as stated in section 103.5.8c, para. 1 (**See 103.5.8c, para. 1**);
- 3) The authority to coordinate with other U.S. government agencies on economic development matters stated in section 103.5.8d (**See 103.5.8d**);
- 4) The authority to accept and use gifts stated in section 103.5.8e (**See 103.5.8e**);

5) The authority to authorize and administer reimbursable USAID programs pursuant to section 607 of the FAA set forth in section 103.5.8f (**See 103.5.8f**); and

6) The housing guaranty and the credit program authorities stated in section 103.5.8h, para. 2c (**See 103.5.8f, para. 2c**).

103.5.14b LAC MISSION DIRECTORS AND USAID PRINCIPAL OFFICERS

The Mission Directors and USAID Principal Officers in the LAC region are delegated by AA/LAC the following authorities:

1) Strategic planning authority pursuant to section 103.5.8a, except as provided for in ads section 103.5.8a, para. 2 (**See 103.5.8a**). The authority to implement strategic, special or support objectives stated in section 103.5.8b (**See 103.5.8b**), except signing FAA 632(a) agreements;

2) The authority to waive source, origin, and nationality, requirements for the procurement of goods and services (other than transportation services) set forth in section 103.5.8c, para. 3 (**See 103.5.8c**);

3) The authority to coordinate with other U.S. government agencies on economic development matters set forth in section 103.5.8d (**See 103.5.8d**);

4) The authority to accept and use gifts as set forth in section 103.5.8e (**See 103.5.8e**);

5) The authority to authorize and administer reimbursable USAID programs pursuant to FAA section 607 as stated in section 103.5.8f (**See 103.5.8f**);

6) The authority to register indigenous foreign private and voluntary organizations (PVOs) set forth in section 103.5.8i, para. 1 (**See 103.5.8i, para. 1**);

7) The food aid authorities stated in section 103.5.8g, para. 2b, c, and d to negotiate, execute, amend and implement food aid donation agreements in accordance with the terms of the authorization (**See 103.5.8g, para 2b, c, and d**). The authority to implement such agreements may be delegated further, but the authorities to negotiate, execute, and amend agreements may not; and

- 8) The authorities to implement loan, guaranty, and other credit programs (except for the HG and MSED programs), and the agricultural and productive credit and self-help community development programs, set forth in section 103.5.8h, para. 2 and 103.5.8h, para. 3 (**See 103.5.8h, paras. 2 and 3**).

103.5.15 BUREAU FOR HUMANITARIAN RESPONSE (BHR)

[RESERVED - See DOAs 900, 902, 903, and 950-955 still in effect.]

103.5.16 BUREAU FOR GLOBAL PROGRAMS, FIELD SUPPORT AND RESEARCH (G)

The following sub-policies are the delegations for the Bureau for Global Programs, Field Support and Research.

103.5.16a SENIOR DEPUTY ASSISTANT ADMINISTRATOR (SDAA/G)

The SDAA/G has Alter Ego authority with AA/G.

103.5.16b DEPUTY ASSISTANT ADMINISTRATORS

Deputy Assistant Administrators who are the Directors of the Center for Democracy and Governance, the Center for Economic Growth, the Center for the Environment, the Center for Human Capacity Development, and the Center for Population, Health and Nutrition, and the Associate Assistant Administrator for Science, Technology and Communications, are delegated, within their respective areas of responsibility, the authorities contained in ADS sections 103.5.8a (Strategic Planning); 103.5.8b (Implementation); 103.5.8c (Source and Origin); 103.5.8d (Coordination); 103.5.8e (Acceptance of Gifts); 103.5.8f (Reimbursable Programs); and 103.5.8h, para. 1 (Housing Guaranty and other Credit Programs) (**See 103.5.8a; 103.5.8b; 103.5.8c; 103.5.8d; 103.5.8e; 103.5.8f; and 103.5.8h, para. 1**), except that:

- 1) The authorities delegated pursuant to section 103.5.8a do not include the authority to approve (**See 103.5.8a**):
 - a. Strategic plans and substantive amendments thereto;
 - b. Exceptions to the strategic planning procedures; and
 - c. The substantive terms and conditions of management contracts and amendments thereto;
- 2) Authority is reserved to DAA/G's to sign FAA section 632(b)

interagency agreements pursuant to section 103.5.8j (**See 103.5.8j**); and

- 3) Authority is reserved to AA/G to select certain senior-level subordinates, as more fully described in Bureau directives.

103.5.16c DIRECTOR OF THE CENTER FOR ECONOMIC GROWTH

Authority is delegated to the Director of the Center for Economic Growth to:

- 1) Authorize inter-regional credit programs, other than Housing Guaranty programs, pursuant to section 103.5.8h, para. 1a (**See 103.5.8h, para. 1a**); and
- 2) Implement the Micro and Small Enterprise Development (MSED) Program, including the authority to negotiate, execute, and implement agreements for these programs, pursuant to section 103.5.8h, para. 1b (**See 103.5.8h, para 1b**).

103.5.16d DIRECTOR OF THE CENTER FOR THE ENVIRONMENT

Authority is delegated to the Director of the Center for the Environment to:

- 1) Implement the Housing Guaranty (HG) Program, including the authority to negotiate, execute, and implement agreements for this program, pursuant to section 103.5.8h, para. 1b, and to authorize inter-regional HG programs, pursuant to section 103.5.8h, para. 1a (**See 103.5.8h, paras. 1a and 1b**);
- 2) Coordinate with, including approving or requesting the activities of, the U.S. Forest Service under section 602 of the International Forestry Cooperation Act of 1990, pursuant to section 103.5.8d, para. 1a (**See 103.5.8d, para. 1a**); and
- 3) Coordinate and consult with the Department of Energy under sections 1211, 1332, and 1608 of the Energy Policy Act (See Mandatory References, PL 102-486) concerning global technology transfer programs, pursuant to section 103.5.8d, para. 1b (**See 103.5.8d, para. 1b**).

103.5.16e THE DIRECTORS OF THE OFFICE OF ADMINISTRATIVE MANAGEMENT STAFF, THE OFFICE OF PROGRAM DEVELOPMENT AND STRATEGIC PLANNING, AND THE OFFICE OF WOMEN IN DEVELOPMENT

The Directors within their respective areas of responsibility, are delegated such authorities as are reasonably necessary to the conduct of such offices and that appear in the Agency's Automated Directive System.

103.5.16f HUMAN SUBJECT RESEARCH - ASSISTANT ADMINISTRATOR AND COGNIZANT HUMAN SUBJECTS OFFICER

The AA/G is delegated by the Administrator full authority to manage the human subject policy and requirements for USAID. The Cognizant Human Subjects Officer ("CHSO") is delegated by AA/G authority for the human subject program for USAID, including but not limited to, authority to issue regulations; take "agency head" actions; and issue guidance. This delegation to the CHSO is subject to the condition that the CHSO inform AA/G and the Administrator of any classified human subject research.

103.5.17 OFFICE OF EQUAL OPPORTUNITY (EOP)

(RESERVED - See DOA 1600 still in effect.)

103.5.18 OFFICE OF THE GENERAL COUNSEL (GC)

a) The General Counsel is delegated by the Administrator authority to settle tort claims against the agency arising in the United States and overseas.

b) The Deputy General Counsels are delegated by the General Counsel the authority in para. a (preceding).

103.5.19 OFFICE OF THE INSPECTOR GENERAL (IG)

* Inspector General (IG) is delegated by the Administrator authority to select, appoint, employ or assign Foreign Service employees directly involved in audit and investigation, subject to procedures agreed to by AA/M and the Inspector General; and

*103.5.20 EXECUTIVE OFFICERS

Executive Officers are delegated by AA/FA (predecessor to AA/M) authority to sign leases for real property and extensions to leases regardless of amount, subject to prior approval by AID/AS/OMS as set forth in ADS 535 (See ADS 535). [Source: State 202678 (6/91)]

103.6 Supplementary Reference - N/A

103.7 Mandatory References

ADS 302
ADS 305

5 CFR 2635
22 CFR 208
22 CFR 211
22 CFR 226

FAA of 1961 as amended

Geographic Code 935

P. L. No. 102-486

Revised Delegation of Authority for InterAgency Agreements

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Senior Deputy Assistant Administrators

5 USC 43
31 USC

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Glossary Terms for 103

Results Review and Resource Request (R4)

The document which is reviewed internally and submitted to USAID/W by the operating unit on an annual basis. The R4 contains two components: the results review and the resource request. Judgement of progress will be based on a combination of data and analysis and will be used to inform budget decision making. (Chapters 103, 201, 202, 203, 204, 250)